

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking on the
Commission's Own Motion to Establish
Consumer Rights and Consumer Protection Rules
Applicable to All Telecommunications Utilities.

Rulemaking 00-02-004
(Filed February 3, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING
GRANTING MOTION FOR PROTECTIVE ORDER**

On September 13, 2005, The Utility Reform Network (TURN) filed its *Motion of The Utility Reform Network for Protective Order regarding Supplemental Material Submitted to the Commission in Support of TURN's Pending Request for Compensation [Proposed Order Attached]* in this proceeding. This ruling grants TURN's motion.

On March 29, 2005, TURN filed and served a request for intervenor compensation seeking recovery of the fees and costs incurred during the federal litigation associated with Commission Decision 04-05-057 in this proceeding. TURN attached as Appendix B to that compensation request a set of time sheets for Strumwasser & Woocher, TURN's outside counsel in the federal litigation. Those time sheets were redacted to prevent disclosure of material that TURN submits constitutes attorney work product under Code of Civil Procedure Section 2018.030. The assigned Administrative Law Judge later requested that TURN provide an unredacted version of the Strumwasser & Woocher time sheets for use in evaluating the compensation request. On September 13, 2005, TURN filed its motion for a protective order, and, under seal, its *Supplement to*

Request for an Award of Compensation to The Utility Reform Network for the Fees and Costs Associated with Obtaining Judicial Review of Decision 04-05-057.

TURN's supplement transmits the unredacted version of the Appendix B time sheets. TURN seeks to prohibit public disclosure of the Appendix B time sheets and the information contained therein. An inspection of the material previously redacted confirms that it consists solely of attorney work product under Code of Civil Procedure Section 2018.030, and that TURN has made the minimum possible redaction to protect that information.

TURN has demonstrated good cause for the relief it has requested. Therefore the material TURN provided in its September 13, 2005 supplement shall remain under seal and be disclosed only to the Commission and its staff involved in the review of TURN's pending request for compensation.

IT IS RULED that:

1. The *Motion of The Utility Reform Network for Protective Order regarding Supplemental Material Submitted to the Commission in Support of TURN's Pending Request for Compensation [Proposed Order Attached]*, filed September 13, 2005, is granted as set forth below.

2. Appendix B, “Strumwasser & Woocher Attorney Hours and Expenses in Federal Litigation on Behalf of TURN,” attached to TURN’s September 13, 2005 *Supplement to Request for an Award of Compensation to The Utility Reform Network for the Fees and Costs Associated with Obtaining Judicial Review of Decision 04-05-057* and described in the body of this ruling, shall remain under seal and shall not be made accessible or disclosed to anyone other than the Commission and its staff involved in the review of TURN’s pending request for compensation except on the further order or ruling of the Commission, the Assigned Commissioner, the assigned Administrative Law Judge, or the Administrative Law Judge then designated as Law and Motion Judge.

Dated October 4, 2005, at San Francisco, California.

/s/ JAMES C. MCVICAR

James C. McVicar
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion for Protective Order on all parties of record in this proceeding or their attorneys of record.

Dated October 4, 2005, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.